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### COVER DESIGN

The simplest form of mining is panning free gold from the gravel in a stream bed. The miner shovels the gravel into his gold pan, puts in some water, and washes away the gravel, leaving the particles of gold in the bottom of the pan. This process is elaborated through various devices such as the rocker and sluice box built by the miner in order to wash more gravel in less time, thus increasing the yield of gold and decreasing the physical labor.

The gold dredger shown on the cover, with all the processes mechanical, has finally evolved. It is simply a boat working in a pond which it digs as it operates. The pond moves with the dredger as it cuts away the gravel at one end and fills in with the washed gravel at the other. Huge iron buckets on an endless chain at the cutting end scoop the gravel from the stream beds, many of which have been dry since the last glacial age. The gravel is run through separating screens under streams of water. The rock and sand are carried away on long conveyors and dumped at the opposite end. The soil is carried off by the streams of water after passing over the riffles and mercury which hold the gold.

# **Fees and Deposits in Public Secondary Schools**

AUBREY A. DOUGLASS, *Chief, Division of Secondary Education*

## **Charges Made in High Schools**

From time to time the State Department of Education receives communications from school patrons regarding fees and deposits levied in junior, senior, and four-year high schools. Such inquiries are not numerous. It can probably be assumed, however, that they are indicative of various existing practices. If so, the inquiries occur with sufficient frequency to warrant attention to them.

From the evidence at hand, it appears that an attempt is made in some senior and four-year high schools to compel students to join the associated students' organizations. An instance was reported where school authorities rented textbooks to pupils, and refused to complete registration until the rental had been paid. One parent reported that he was required to pay \$15 each for two children in the form of various charges and fees before they could register. Another complaint was to the effect that pupils in a certain high school were required to pay a total of \$2.25 for enrolling and that, when the amount was unpaid, the principal refused to issue a transcript of record.

Deposits for locker keys and fees for towel services in connection with physical education, are often required. The amount varies from school system to school system, and even from school to school within the same school system. In numerous districts, however, neither the key deposit nor the towel fee is charged.

Handbooks, programs of study, and announcements published by high schools rarely, if ever, contain statements of charges, fees, or deposits. It, therefore, is not known how frequently charges are made. It is probably true that one complaint sent to the State Department of Education represents a number of actual instances.

## **Charges Made in Junior Colleges**

In many junior college catalogs, the statement is made, flatly and emphatically, that no tuition is charged. This does not mean, however, that all young men and young women attending junior colleges in California escape expenses when they enroll. Whether an individual is obliged to pay deposits and fees depends upon the institution. In some schools, the student is given to understand that

unnecessary breakage of laboratory equipment is a just charge against him, and that there is a fee which he may pay voluntarily if he belongs to the associated students. In other institutions, the number and array of fees, deposits, and charges are such as to be startling to the individual who assumes that the junior college is a part of a free, publicly supported system of education.

In one junior college, a student is required to pay what is termed in the catalog a "registration" fee of \$5. If he enrolls for less than five units, he pays \$1 per unit "or fraction thereof." If he registers after the first day, he pays another dollar. Late or not, he has to part with another dollar as a gymnasium fee, 65 cents for a combination padlock deposit, and 25 cents for a key deposit. Special fees in laboratory courses run from \$3 to \$5 per semester. He pays 50 cents for his *English A* examination, and if unlucky enough to fail, pays \$4 for the privilege of taking the course again. A special examination in any of his subjects costs a dollar. In this particular school it may be that he saves on his associated students' ticket, as no mention of it is made in the catalog.

Although the practice of charging a registration fee is not common, the above is not the only instance of its occurrence in California junior colleges. Several schools list registration fees, with no explanation regarding the manner in which funds so collected will be used. In many cases, student body membership amounts to the same thing as a registration fee. Exceptions are probably made everywhere, but deferred payment is not encouraged by catalog statements. In one instance, a "\$5 fee is charged each student at time of registration in September," but "no student has been refused admission because of his inability to pay at once." This particular fee is divided as follows: Towels, \$1; student body, \$2; incidental, \$2. In another instance, students who enroll for five or fewer units are charged \$2.50. One school "reserves the right to charge laboratory, syllabus, and locker fees in any course where it is necessary or advisable."

Almost invariably the student will encounter the fee for membership in the associated students' organization. It usually amounts to \$4 or \$5 per semester, although it may be as low as \$1 and as high as \$6 or \$7. In some catalogs, the charge is listed and the comment made that payment is voluntary; in other instances it is listed with no comment; many times it occurs with a statement which makes the student understand that he is required to pay. A "student body fee of \$5 is payable at registration," "associated students' dues \$7," "student body fee of \$10 per year payable at time of registration for regularly enrolled students," and "no tuition is charged, but a general student body fee is levied, payable at time of registration," are examples

of the more drastic statements. After listing numerous fees, including a student body fee of \$5 and an entrance fee of \$3 for "new students only," the situation in one school is summed up by the statement that

. . . final registration [is] not complete and students [are] not formally enrolled in class until these obligations are met.

One half the total amount of fees paid will be refunded in case of withdrawal within 30 days after date of enrollment. No refunds will be made to students after this date.

In another school,

In case of overbreakage above deposit, all grades, credits, transcripts and certificates of honorable dismissal will be withheld from the student until all bills due the college have been paid.

Many catalogs carry statements regarding deposits and laboratory fees. Deposits are for keys and against laboratory breakage or use of materials. Usually the student is given to understand that he will be refunded the entire amount if he returns his key, but in one school where a charge of \$1 is made for a locker in the junior college building, 25 cents is deducted from the deposit when it is refunded. In the case of laboratory deposits, deductions may be made for breakage and materials.

A charge of a dollar or two for late registration and a similar charge for failure to file a program card on time are likely to occur. If a student wishes to enter a certificate curriculum, he must, in one instance, have his record evaluated, for which he pays \$3, with the "deposit refunded upon the completion of one semester in attendance." In another case, a payment of \$1.50 for a placement examination is made, with a dollar additional charged for a late placement examination. In several junior colleges, students buy syllabi for their courses at 50 or 60 cents each. In several places, a charge of a dollar or two is made for special course examinations. Some schools charge by the piece, at 25 cents per unit. If a student decides either through whim or sound reason that he should change his program, he will pay a dollar for the privilege in one junior college. In the same institution, it will cost \$2 to secure a permit to remove a deficiency, unless that deficiency was caused by illness. Nearly all schools issue one free transcript, but charge for extra transcripts.

The word "deposit" is usually dropped and "fee" substituted when reference is made to the cost of enrolling in certain courses. It may be assumed, from many of the catalog statements, that nothing will be returned at the end of a semester when the term "fee" is used. Practices vary considerably. A student enrolling in one school may pay a "fee" of \$1 to \$10 per course per semester for chemistry;

if he were attending another school he might pay a "deposit" up to \$5 per course per semester. In the one instance he would probably receive no refund; in the other, he might expect a return. On the other extreme are the schools where "no tuition or laboratory fees" are charged. In general, fees are more numerous and higher in separately organized junior colleges than in those organized with senior high schools.

In addition to what he spends for books, the total outlay by the student attending junior college varies from nothing to a considerable sum per semester. Using the fees listed in the catalogs, and arranging courses which a student might easily pursue, the following cases may be cited:

1. No fees.
2. No fees unless unnecessary breakage of laboratory apparatus occurs, or unless the student is dilatory in registering, filing official notices, and returning library books.
3. Laboratory deposits, \$3, with balance returned after the close of the school year.
4. Incidental fee, \$5; chemistry, \$5; with balances returnable at the close of the school year. Student body membership voluntary.
5. Student body fee, \$10; bacteriology, \$6; chemistry, \$6; late registration, \$2. In this case the student body fee pays for the entire year. If not paid in full the charge is \$6 for the semester. The student may be refunded in part for his laboratory fees, and will probably escape the late registration fee. On the other hand, he may pay \$24 to register.
6. Student body fee, \$5; secretarial training, \$3; physical education and locker, \$3; science, \$3. Here the cost for the semester is \$14 and the total for the year \$28.

It is unquestionably the intent of the people of California, as expressed in the Constitution, that the public school system shall be maintained and supported by public funds without charge to the individuals enrolled therein. This intent is expressed in sections 5 and 6, Article IX, of the State Constitution. Section 5 provides:

The Legislature shall provide for a system of common schools by which a free school shall be kept up and supported in each district at least six months in every year, after the first year in which a school has been established.

Section 6, after defining the types of schools included in the public school system, provides for the creation of state school funds and directs the Legislature to provide for the levying of county school taxes and school district taxes for the support of the public schools. These



sections cannot be construed in any other manner than requiring that the school system shall be supported from public funds and shall be free for the admittance and instruction of the people of the state.

The Legislature has carried out the intent of the Constitution by providing for the levying of taxes for the support of the public schools and in general it has enacted legislation stipulating that the public schools shall be free to those enrolled. Exceptions to this general principle are found in the following School Code provisions which authorize certain specific fees:

1. School Code sections 3.480 to 3.482, inclusive, authorize the governing boards of high school districts to charge adults a tuition fee not to exceed \$6 a term per pupil, except in classes maintained in English and citizenship for foreigners and classes in elementary subjects, the amount of the charge not to exceed the estimated cost to the district per pupil for maintaining the class in which the pupil is enrolled.
2. School Code section 6.380 authorizes the governing board of a high school district to fix a charge for books furnished pupils in classes for adults, such charge not to exceed the cost of such books to the high school district.
3. School Code section 3.401 authorizes the governing board of any junior college district to charge a tuition fee to nonresident junior college students for whom a nonresident tuition payment may not be charged to the district or county of residence. Such tuition fee may be charged only to students who are not residents of California or who have not lived in California for one year.

With the foregoing specific exceptions, no provision is made by the School Code authorizing the levying of fees or deposits against the individuals enrolled in the public schools. The State Board of Education which has power: "To adopt rules and regulations not inconsistent with the laws of this state . . . for the government of . . . day and evening secondary schools . . ." <sup>1</sup> has ruled <sup>2</sup> that "No pupil enrolled in a public elementary or secondary school shall be required to pay any fee or deposit not specifically authorized by law."

Numerous provisions of the School Code indicate rather definitely that certain of the specific fees which are charged in individual schools not only do not have specific sanction in law, but actually are charged in direct violation of provisions of the state law. This is particularly true of fees and deposits required for textbooks and for instructional

<sup>1</sup> School Code section 2.1383.

<sup>2</sup> *Rules and Regulations of the California State Board of Education*, California State Department of Education Bulletin No. 1, January, 1937, Section III, J, p. 4.

supplies and materials.<sup>1</sup> School Code section 6.381 requires the governing board of every high school district to furnish textbooks to the pupils thereof for use without charge; while School Code sections 6.471 and 6.490 require school boards to furnish at district expense all necessary

school furniture, including musical instruments, and apparatus, and such other articles as may be necessary for the use of schools . . . . writing and drawing paper, pens, inks, blackboards, blackboard rubbers, crayons, and lead and slate pencils, and other necessary supplies for the use of the schools.

The regulation of the State Board of Education prohibiting the charge of fees or deposits not specifically authorized by law applies to junior colleges as well as to other types of secondary schools, since the secondary schools of the state are designated by the School Code<sup>1</sup> as including "high schools, technical schools, and junior colleges."

In many junior college catalogs different meanings are, by inference, attributed to "tuition" and "fees." As these terms are used to apply to educational costs, the distinction is exceedingly far fetched. When fees are used to pay part of the costs of school activities through which the student gains his education, they become tuition fees, even when "tuition" is assiduously omitted. Aside from textbooks, essential elements in a laboratory course in chemistry are a teacher, a room, apparatus, and chemicals. It is assumed that none can be omitted without lowering the quality of instruction. To effect an arrangement whereby the cost of the teacher, of the room, and of the apparatus is to be met from funds derived from taxation, and the cost of materials by the student, is illogical. The same line of reasoning may be applied to physical education programs in schools requiring towel fees. But it is unnecessary to come to an agreement upon this issue. No fees may be charged in the elementary or secondary schools, including junior colleges, unless those fees are specifically authorized by law.

### Student Body Fees

Indirectly, the School Code authorizes students to form their own organizations, and to collect membership fees. For example, it is the duty of the governing board of a district "to provide for the supervision and auditing of all funds raised by student bodies or student organizations using the name of the school."<sup>2</sup> These fees are not, however, "specifically authorized by law." It is, therefore, beyond the powers of school administrators or governing boards to enforce collection of such fees. The ethics of a situation in which arrangements

<sup>1</sup> School Code section 3.221.

<sup>2</sup> School Code section 1.50.



are set to force payment, with those responsible for the arrangements ready to back down in case of refusal on the part of the student, need no comment.

### Conclusion

In conclusion, it may be said that the State Department of Education finds no legal authority for any of the fees and deposits required of secondary school students excepting those specifically authorized by the School Code; namely, tuition charge not to exceed \$6 per pupil per term which may be made of adults in certain types of special classes; a charge for textbooks furnished to adults, such charge not to exceed the cost of the textbooks furnished; and a nonresident tuition charge for students enrolled in district junior colleges if such students are not residents of the State of California and have not resided in California for one year. With respect to fees and deposits other than these not only is specific authorization for their levy lacking, but the rules and regulations of the State Board of Education and the provisions of the School Code must be construed as specifically prohibiting their levy.

So far as information is available in this Department, the number of junior, senior, and four-year high schools levying illegal fees and deposits probably is not great and the amount of such fees and deposits levied therein may not be exorbitant. However, even in such schools the practice of requiring fees and deposits in connection with the physical education program, in which all students must participate by mandate of state law, is entirely too widespread. Moreover, the charge of any fee or deposit in the public schools must be frowned upon not only as a violation of the principles of free public education, but as an inequity to students which cannot be justified on any grounds.

The situation in the junior colleges is considerably more serious than that which obtains in the high schools, if the lists of fees and other student charges included in published catalogs are to be considered as indicating the extent of the practice of charging such fees and the almost unbelievable amounts charged to students for enrollment in presumably free public schools.

## John Franklin Dale

Education and humanity lost something more than a fine and sincere instructor and school administrator with the passing of John F. Dale. He had especially endeared himself to members of the State Department of Education which he served during 1931 and 1932 as Assistant Chief of the Bureau of Parent Education.

There can be no more accurate measure of a man than his conduct in the face of approaching death. John Dale faced knowledge of his approaching end for months with that simple courage and devotion to duty which must ever mark the true gentleman and hero. Indeed, this knowledge inspired him to greater effort in his lifelong devotion of time, energy, and income to the aid of the lowly and unfortunate. He served tirelessly and cheerfully, concealing the desperation of his own condition to avoid distressing others.

Like Lincoln, John Dale was the passionate defender and counselor of those whom circumstances had kept on the lowest rung of life's ladder. He was peculiarly fitted to advise young people without lecturing them. His finely developed sense of humor gave him a sense of proportion which made it easy to point a moral without seeming to do so.

With all his charity to the weak he had no tolerance for sham and dishonesty. Pretense was foreign to his nature. He firmly believed in the value of education as the basis of democracy, but to him education was the eternal search for truth. Thus, if an educational theory did not square with the truth, he rejected the theory no matter how fascinating it might appear.

His was a truly beautiful life devoted to school work. He served variously as an elementary and high school teacher and as a junior and senior high school principal before he joined the State Department of Education. Educationally, perhaps the greatest tribute that could be paid Mr. Dale lies within the hearts of thousands of young people whom he has helped over the rough spots in the Way.

A man's avocations give insight into his inner and sometimes hidden nature. John Dale found in music, gardening, and the preparation of a savory meal an outlet for his gentler side. He devoted hours to the raising of roses, iris, and other flowers and these repaid his loving care by giving him their best products. He played the piano as well as he gardened.

John Dale's was a life well lived. How well he fitted that standard of moral measurement given by Shakespeare:

His life was gentle, and the elements  
So mix'd in him, that Nature might stand up  
And say to all the world, "This was a man!"

## **DEPARTMENTAL COMMUNICATIONS**

### **Office of the Superintendent of Public Instruction**

WALTER F. DEXTER, Superintendent

#### **CONFERENCE OF CALIFORNIA PUBLIC SCHOOL SUPERINTENDENTS**

The annual conference of City, County, and District Superintendents of Schools will be held at the Fairmont Hotel, October 27-29, 1937. The first general session will begin at ten o'clock on the morning of October 27. In general, the program will emphasize those responsibilities directly connected with the improvement of the educational program.

#### **CONFERENCE OF SUPERVISORS AND DIRECTORS OF INSTRUCTION AND DIRECTORS OF CHILD WELFARE**

Because of the nature of the program of the Conference of Superintendents of Schools, and the numerous requests from the field, the supervisors, directors of instruction in elementary and secondary schools, and directors of child welfare are called to meet at the Fairmont Hotel with the conference of superintendents, and on the Saturday morning following, October 30, 1937.

#### **DR. AUBREY A. DOUGLASS APPOINTED DIRECTOR OF GRADUATE STUDIES, DEPARTMENT OF EDUCATION, CLAREMONT COLLEGES**

Dr. Aubrey A. Douglass, Chief of the Division of Secondary Education of the California State Department of Education became Director of Graduate Studies of the Department of Education, Claremont Colleges, Claremont, California, September 1, 1937. During the past two years, Dr. Douglass has been engaged in directing a program of secondary school curriculum revision.

Immediately prior to his assumption of duties in the California State Department of Education, Dr. Douglass served as head of the Department of Education in Claremont Colleges, the Department to

which he is returning. His experience record also includes a period as lecturer at Harvard University, professor at Washington State College, Pullman, Washington, and service in the United States Army during the World War. Dr. Douglass is also the author of several widely-used textbooks in education which include the following titles: *The Junior High School*, *Secondary Education*, *The American School System*.

Dr. Douglass will be on leave of absence from the California State Department of Education.

### THE CALIFORNIA STATE HISTORICAL ASSOCIATION

The attention of school administrators and governing boards of school districts is called to the change being effected in the program of publications of the California State Historical Association. This Association is the official historical research organization of the State of California, under the trusteeship of the State Board of Education. It is supported partially by legislative appropriation, partially by membership fees. In the past it has published for general distribution to members and subscribers a small leaflet, the *California History Nugget*, and several books of a scholarly research type in the field of California history.

Plans are now under way for revision of the program of publications of the California State Historical Association, and for augmenting the revenues to provide for the financing of its publications and historical research. The following steps are scheduled,

1. Publication and distribution of the *California History Nugget* by the State Department of Education, for use as instructional material in classes in California history in grade seven or eight, in accordance with authorization of the State Board of Education. The *California History Nugget* will be issued six times each year, and will be distributed free to the public elementary schools and junior high schools. Subscriptions for the *Nugget* will be accepted from public secondary schools, individual teachers, or others, at a price of 50 cents per annum. Single copies will be available at a cost of 10 cents each. The *Nugget* will also be provided for all members of the Association, the price of the subscription being a part of the annual membership fee.
2. Preparation of the *California History Nugget* will be the responsibility of the staff of the Association. The general character of the materials published therein, and the method of their presentation will be determined by an editorial board including as members teachers and supervisors and members of the staff of the

State Department of Education. The *Nugget* will be prepared definitely as supplementary textual material for pupil use.

3. The Association will publish a Quarterly to contain specific scholarly articles and summaries of research in the field of California history. This will go to all members. Single copies will be available for 65 cents each.
4. Occasional monographs and books by the Association staff and by university research students and faculty members will be published by the Association as funds are available. These monographs will be available to members at a price equal to the cost of publication and distribution. Their sale price to the public will be determined individually.

### Membership in California State Historical Association

The State Board of Education on June 21, 1937, authorized inclusion of the California State Historical Association in its official list of organizations in which governing boards of school districts may subscribe for memberships. Such memberships may, therefore, be taken for all elementary or secondary schools, the cost being payable from the district funds under School Code section 2.1520. In view of the value of the publications and activities of the Association, no hesitancy is felt in urging school administrators and governing boards of school districts to subscribe for individual elementary and secondary schools. Membership in the California Historical Association is \$3 per year. Elementary schools and junior high schools will receive the *California History Nugget* free for use in seventh and eighth grades, so the cost of the *Nugget*, 50 cents per year, will be deducted from the membership fee for such schools, leaving the annual fee for such schools \$2.50. Four-year and senior high schools and junior colleges will not receive the *Nugget* free, so the fee for such schools will be the full \$3 per year.

The cooperation of superintendents of schools, principals, and local school boards in assisting the fine work planned for the California State Historical Association, by generous subscriptions for school memberships will be genuinely appreciated and will bring rich returns in valuable instructional and reference material in California history. Individual teachers interested in California history and in the support of a worth-while program of research and publication in the history of our State should also subscribe individually. The state colleges will receive the *Nugget* for use in training schools, but should also subscribe for membership in the California Historical Association for such schools.

The success of the revised program of the California State Historical Association will depend largely upon the support given it by the public schools. Since the entire program is definitely planned to be of specific value to the public schools, it merits such support. Subscriptions for membership in the Association or for the Quarterly should be sent, as early as possible, to Doctor Owen C. Coy, Director, California State Historical Association, 3551 University Avenue, Los Angeles, California. Subscriptions for the *California History Nugget* should be addressed to the Division of Textbooks and Publications, State Department of Education, Sacramento, California.



## INTERPRETATIONS OF SCHOOL LAW

### CORRECTION

On page 211, August, 1937, issue of *California Schools* the digest of opinion NS444 of the Attorney General appearing under the heading "Time of Making Appointments to County Board of Education" should read as follows:

"Under School Code section 2.1261, a county board of supervisors may make the required appointments to the county board of education only at the last regular meeting of the board prior to the first day of July, and if the board of supervisors refuses or neglects to make such appointments at such time, the county superintendent of schools under School Code section 2.0262 must make such appointments.

*If the last regular meeting of the board of supervisors held prior to the first day of July adjourned, in accordance with law, to a date prior to the first day of July, the appointments may be made at such adjourned meeting."*

### Appellate Court Decisions

#### Reduction of Salary of Certificated Employee

A person classified as a permanent employee of a high school district who had acquired the status of permanent employee through services as a teacher of physical education in the senior high school of the district during the period from the school year 1926-1927 to the school year 1935-1936, and who during the last years of such period also served as head of the physical education department of the senior high school, is subject, upon being relieved of his position as the head of the physical education department of the senior high school, to a reduction in salary, if such reduction is not arbitrary or discriminatory (citing *Fidler v. Board of Trustees*, 112 Cal. App. 296; *Abraham v. Sims*, 2 Cal. (2d) 698; *Chambers v. Davis*, 131 Cal. App. 500); and while the governing board of the district may not assign such person to teach in a junior high school of the district since such position would not be of a rank and grade equivalent to that in which he acquired his status as a permanent employee of the district, the board may assign

such employee to any teaching duties for which he is qualified and which are of a rank and grade similar to that in which he acquired his status as a permanent employee of the district (citing *Cullen v. Board of Education*, 126 Cal. App. 510; *Mitchell v. Board of Trustees*, 5 Cal. App. (2d) 64; *Walsh v. Board of Trustees*, 2 Cal. App. (2d) 180). (*Hodge v. Board of Education of the City of San Bernardino School District et al.*, 98 C. A. D. 459, --- Pac. (2d) ---.)

22 Cal App (2d) 341

### Attorney General's Opinions

#### Duty of County Superintendent of Schools to Reimburse High School Districts for Transportation Provided

Where high school students residing in an elementary district not in any high school district attend high school in a high school district in the same county and the governing board of the high school districts provides transportation for such students, the county superintendent of schools of the county must reimburse the high school district for the cost of such transportation, within the limits stated under School Code sections 3.301, 4.250, and 4.251 and cannot refuse such reimbursement on the ground the students reside closer to the high school of another high school district. (A. G. O. NS530, August 21, 1937)

#### Effective Date of Annexation of an Elementary School District to a High School District for Tax Purposes

Where, in August, 1936, an elementary school district was annexed to a high school district under the provisions of School Code sections 2.450-2.456, and assumed its pro rata share of the bonded indebtedness of the high school district, the annexation did not, because of the provisions of School Code sections 2.85 and 2.86, become effective until July 1, 1937, except for the assessment of property, and no tax could be levied upon the elementary district prior to July 1, 1937, for the bonded indebtedness of the high school district. (A. G. O. NS512, August 14, 1937)

#### Fees for Credentials Issued by State Board of Education

A resident of the State of California who, during the twelve month period preceding the date of his application to the State Board of Education for a credential, has been temporarily absent from the state for the purpose of securing training and has not by any union of act and intention thereby changed his residence, remains a resident of the State of California under Political Code section 52 and, therefore, is required to pay only the \$3 fee prescribed by School Code section

5.530. The \$5 fee prescribed by School Code section 5.530 is to be charged applicants who may have at some time during the twelve month period prior to the date of application failed to meet the tests prescribed by Political Code section 52. (A. G. O. NS548, August 31, 1937)

**Tenure as Classroom Teacher of District Superintendent of Schools  
Under School Code Section 5.502**

An employee of a school district employed as a teacher who, upon being reemployed for the school year 1934-1935, became a permanent employee of the district and who, beginning with the school year 1935-1936 (and prior to September 23, 1935, the effective date of the 1935 amendment to School Code section 5.502), was employed as a nonteaching district superintendent of schools of the same district for a three-year period, ceased to be a permanent employee of the district upon becoming such nonteaching district superintendent of schools. The 1935 amendment to School Code section 5.502 not being retroactive, the taking effect of such amendment did not give him the status of a permanent employee of the district as a classroom teacher (citing *Work v. Central Union High School*, 6 Cal. App. (2d) 626; *Owens v. Board of Education*, 68 Cal. App. 403); nor did School Code section 5.504 have the effect of retaining to him the classification of permanent employee, since that section was first enacted in 1921 (Chapter 657, Statutes 1921) and cannot, by its own terms, apply to anything occurring after the effective date of said Chapter 657, Statutes 1921. (A. G. O. NS506, August 7, 1937)

## FOR YOUR INFORMATION

### AMERICAN EDUCATION WEEK

November 7-13, 1937, will be observed throughout the United States as American Education Week. The observance of this occasion is an opportunity for the schools to interpret the work of the public schools to every member of the community.

American Education Week was established in 1921. It is sponsored by the National Education Association, and the United States Office of Education, as well as many national, state, and local organizations. The National Education Association announces the following topics for special consideration during the week:

#### GENERAL THEME—EDUCATION AND OUR NATIONAL LIFE

Monday, November 8	Can We Educate for Peace?
Tuesday, November 9	Buying Educational Services
Wednesday, November 10	Horace Mann Centennial
Thursday, November 11	Our American Youth Problem
Friday, November 12	The Schools and the Constitution
Saturday, November 13	School Open House Day
Sunday, November 14	Lifelong Learning

Many helpful materials to assist local school systems in the observance of American Education Week are available at low cost from the National Education Association. These materials include a handbook, a high school manual, an elementary school manual, a poster, list of materials, stickers, and price list. Further information may be secured by addressing the Association, 1201 Sixteenth Street, N. W., Washington, D. C.

### CONFERENCE ON ADULT EDUCATION

The Pacific Southwest Regional Conference on Adult Education will be held on the campus of the University of California at Los Angeles November 12-13, 1937. The Conference will be sponsored by the California Association for Adult Education with the cooperation of the American Association for Adult Education. All agencies for adult education are invited to send representatives.

The California Association for Adult Education has recently prepared a "Directory of California Forum," in the form of a mimeo-

graphed booklet which also contains many interesting facts about California forums. The "California News Exchange," a monthly news bulletin, is another mimeographed publication prepared by the Association to serve as a clearing house for the thinking of the leaders in the field of adult education.

Both publications are included in the regular membership fee of the Association, \$2.

## EDUCATIONAL BROADCASTS

### Broadcasts Sponsored by State Department of Education

#### EDUCATION TODAY

The State Department of Education will continue its regular radio program, Education Today, during the coming school year. Beginning with September 25, the program will be given over station KGO on Saturdays from 6:00 to 6:15 p.m. instead of from 5:00 to 5:15. The following broadcasts will be offered:

- October 9—History of Phi Beta Kappa
- October 16—Story of the First High School
- October 23—The First Teachers Institute
- October 30—Beginning of Education in Florida, 1831

#### PAGEANT OF YOUTH—WEDNESDAYS—10:00-10:30 P.M.—STATION KLX

- October 6—Graham Affair, 1840
- October 13—Jedediah Smith
- October 20—Black Drift
- October 27—William Walker

### Alameda School of the Air

The following radio broadcasts will be offered by the Alameda City School of the Air, under the direction of Erle A. Kenney:

#### GREAT MOMENTS FROM LITERATURE, STATION KLX, 1:30-1:45 P.M., MONDAYS

This program consists of selections from various classic and well known novels, all on the reading lists of many schools. A great variety of subjects and authors is offered. This program should be a spur to worth while outside reading, a help in preparing book reports, and should give a helpful idea of the atmosphere and characters of books to individual students.

#### CALIFORNIA HISTORY PROGRAM, STATION KLX, 1:30-1:45 P.M., WEDNESDAYS

This program, especially arranged to accompany the new state text, *California, the Golden*, covers the history of California in its chronological succession, in order that the classroom work and the radio lessons may be synchronized.

#### THE ADVENTURES OF BROTHER BUZZ, STATION KLX, 11:15-11:30 A.M., THURSDAYS

Brother Buzz is presented by the Alameda City School of the Air in cooperation with the Latham Foundation and is based upon the Brother Buzz stories of Dolores Wilkens Kent. The programs, mildly educational in character, should be

of interest to the youngest children, helping them to develop the correct emotional attitude to the world in which they live.

**DAVID AND SUSAN IN CALIFORNIA, STATION KLX, 1:30-1:45 P.M., THURSDAYS**

David and Susan this year will visit many different industries. A considerable amount of supplementary material on commercial geography may be secured by following the series.

**UNITED STATES HISTORY PROGRAM, STATION KLX, 1:30-1:45 P.M., FRIDAYS**

The material of these broadcasts, taken from authentic sources, and the schedule have been prepared to synchronize with the progress of classroom instruction in the low seventh grade history classes. The material contained in these broadcasts should be of benefit to students further advanced in American History.

### SUMMARY OF STATE APPORTIONMENTS

The following summary should be substituted for the figures included on page 212 of the August, 1937, number of *California Schools*.

<i>School level</i>	<i>A.D.A. 1936-1937</i>	<i>Per cent increase over 1935-1936</i>	<i>State apportionment 1937-1938</i>	<i>Per cent increase over 1936-1937</i>
Elementary grades <sup>1</sup> -----	683,322	1.61%	\$42,002,236.12	1.64%
High school grades <sup>2</sup> -----	309,886	4.69%	28,580,644.50	4.62%
District junior colleges--	17,894	2.33%	1,644,460.00	2.28%
Total-----	1,011,102	2.55%	\$72,227,340.62	2.81%

<sup>1</sup> Including elementary grades in junior high schools.

<sup>2</sup> Excluding elementary grades in junior high schools and including grades 13 and 14 in high school districts.

### WESTERN EDUCATION FORUM

Beginning October 19, 1937, the faculty of the School of Education of Stanford University will broadcast the "Western Education Forum," a series of thirteen programs dealing with curriculum development from 4:00 to 4:30 on the first and third Tuesdays of each month. In California, stations KFBK, KFSD, KGO, KWG will carry the broadcast. The following topics comprise the series:

- October 19—How Good is Our Curriculum?
- November 2—The Psychologist Examines the Curriculum
- November 16—Social Needs Challenge the Curriculum
- December 7—Life Values and Educational Goals
- January 4—Adapting Instruction to Student Needs
- January 18—Building Social Competence
- February 1—Mental and Physical Health
- February 15—Learning to Read in Every Class
- March 1—Art and Music Enrich Instruction
- March 15—Students Serve School and Community
- April 5—Creative Education
- April 19—Guidance of Youth
- May 3—Parents and Students Help Teachers Plan the Curriculum



## PUBLICATIONS OF THE DEPARTMENT OF SECONDARY-SCHOOL PRINCIPALS

The Department of Secondary-School Principals of the National Education Association will hereafter issue to its members a *Bulletin* eight times each year (October to May). The *Bulletin* contains the proceedings of its annual convention, a directory of its members, committee reports, and reports of other activities of the Department.

The Department of Secondary-School Principals announces the publication of *Student Life*, the first issue of which will appear in October, 1937. This publication takes over *Student Leader*, which is expanded to serve as an organ of the National Association of Student Officers and of the National Honor Society, and covers the many aspects of student life in the secondary schools of this country, particularly the field of student activities that are deemed worthy in a modern secondary school.

## STORIES OF AMERICAN INDUSTRY

*Stories of American Industry* is a 100 page booklet containing broadcasts on the history and development of selected American industries. These talks, presented by the United States Department of Commerce, may be used as text material or supplementary reading for classes in social studies, science, business subjects, and other subjects dealing with industry. Some of the topics covered are paints, furs, paper, baking, coal, rubber, automobiles, fisheries, textiles, lumber, sugar, meat packing, shipping, building construction, iron and steel, electrical goods, air conditioning, canning and preserving, railway systems, agricultural implements, office appliances, coke manufacturing, recreation, and the industries of tomorrow.

Copies of this booklet may be secured for 10 cents each from the Government Printing Office, Washington, D. C., or through any of the district offices of the Bureau of Foreign and Domestic Commerce in the principal cities. A discount of 25 per cent will be allowed on lots of 100 or more copies mailed to a single address.

## MOTION PICTURE FILM

The California State Department of Motor Vehicles is releasing the film "We Drivers," through the courtesy of the Public Relations Department of the General Motors Corporation. This film presents an excellent safety message in the form of entertainment. It is available in 16 mm. silent, 16 mm. with sound, and 35 mm. with sound. The only charge for the film is the express or parcel post to and from Sacramento.

Inasmuch as the film is in great demand, the school should give a choice of dates and state the type and size of film desired. The film must be returned promptly after it is shown or a penalty of \$2.50 a day will be charged for the length of time the film is held past the allotted schedule.

This film may be ordered through the Department of Motor Vehicles, Twelfth and N Streets, Sacramento.

#### **EDUCATIONAL RESEARCH ASSOCIATION MEETING**

The seventeenth annual conference of the California Educational Research Association (Northern Section) will be held April 1 and 2, 1938, at Berkeley.

## PROFESSIONAL LITERATURE

### REVIEWS

GERTRUDE HILDRETH. *Learning the Three R's. A Modern Interpretation.* Minneapolis: Educational Publishers, Inc., 1936. Pp. x + 824.

It is fitting that a trained psychologist at Lincoln School, Columbia University, should prepare a volume on *Learning the Three R's*. There has been conflict, confusion, criticism, and misunderstanding about the relationship of the skill subjects to the integrated program. There will be derogatory statements made about this treatise by those who believe that the teaching of skills should be purely incidental and, therefore, resent the title of the volume and give the book only superficial reading.

But this sound, highly professional discussion of effective learning of subject matter is no betrayal of the progressive philosophy of education. A careful reading of this 800 page volume will convince the reader that Dr. Hildreth is entirely familiar with and sympathetic to the modern program of education, that she is cognizant of the confusion about the place of the three R's in that program, and that she has faced unflinchingly the innumerable issues involved in teaching the skills without ever losing sight of the underlying philosophy of the activity approach to learning. Her conclusions are supported by statistically reliable evidence and her statements exemplified by actual experiences of real children in modern classrooms.

The findings of modern experimental psychology have been presented in an early chapter not as a group of theoretical assumptions about learning but as a working program for learning. Dr. Hildreth says:

It is quite impossible to stop a learner when he is ready to learn and the need is pressing. The most important thing in education was formerly thought to be what the teacher did to the child directly. Now we know that an equally important factor is the child's own maturity and responsiveness during the learning process. It has taken us a period of years and endless failures in teaching to come to this conclusion. . . .

The author devotes three chapters to a discussion of reading. Modern Trends in Arithmetic is a particularly interesting and significant chapter. Dr. Hildreth discusses the advantages in postponing premature drill in number facts, reducing the arithmetic load, and the need for "experiencing arithmetic." It is evident from the point of view expressed that in proportion to the amount of time spent in instruction no other subject is more "ineffectively taught and learned than arithmetic."

The handling of the chapter on "Learning to Spell" is equally interesting and sound. The child, his capacities and proclivities should determine the program. To quote,

In planning school spelling programs, it is necessary to inquire: How important is spelling to the individual at different stages of his development? How much spelling achievement does he need? How much time out of his crowded program should he be expected to give to it? . . .

Handwriting is thoroughly discussed. The advantages of manuscript writing as well as of cursive writing for beginners are presented and illustrated.

The chapters devoted to "The Problem of School Failure," "Causes of Failure," and "Individual Differences in Ability and Achievement" are among the most worth while in the book. "No educational practice is more noneducative than failure, yet no feature of the public education is more universal," states the author. She urges that teachers begin the study of the causes of failure early and thus save children from failure by precautionary methods and by prompt attention to incipient failure cases.

After each critical analysis of present practices, careful consideration and delineation of the most desirable ways of remedying these unfortunate procedures are suggested by Dr. Hildreth. Diagnostic and remedial methods are presented in reading, spelling, handwriting, and arithmetic, and the reader is aware that often remediation requires doing something to the school or the curriculum rather than to the child. The author is impatient with remedial "materials" that are more "busy work" than truly instructional and are frequently "too delicate or fine for clumsy fingers or immature eyes and brains."

At the end of each chapter throughout the book a highly selective list of recommended readings as well as complete references for books cited in the text are given. There is also included a recommended list of tests in arithmetic and reading. An index makes the material in this ponderous volume readily available and the use of many subheadings throughout the context aids in the usability of the suggested techniques.

The fine educational philosophy expressed consistently by Dr. Hildreth, the practical procedures suggested and supported by experimental data make this volume a welcome handbook on modern educational methods in the skill subjects for use in progressive schools.

GLADYS L. POTTER

DOROTHEA DE SCHWEINITZ. *Occupations in Retail Stores*. Scranton, Pennsylvania: International Textbook Company, 1937. Pp. 411.

This book is based on a thorough study of the nature, extent, and kinds of distributing retail agencies and the workers employed in the retail field. The first part of the study deals with the kinds of retail stores; the kinds of jobs involved in retailing; the hiring, training, and promotion of employees; and their hours of work, vacations, and earnings. In the second part the author has classified and fully described forty-five occupations which constitute major opportunities in retail stores. The study was prepared for the Occupational Research Section of the National Vocational Guidance Association through the cooperation of the United States Employment Service, Department of Labor.

Due to the expanding program in education for workers in the various types of distributive occupations this volume should be valuable to counselors and teachers in the field of distributive education.

IRA W. KIBBY

#### CURRENT PUBLICATIONS RECEIVED

CAMPBELL, GEORGE W. *The Influence of Court Decisions in Shaping the Policies of School Administration in Kentucky*. Bulletin of the Bureau of School Service, Vol. IX, No. 4. Lexington, Kentucky: University of Kentucky, 1937.

CHAMBERS, MERRITT MADISON. *Some Features of State Educational-Administrative Organization*. Washington: American Council on Education, 1936.

COMSTOCK, LULA MAE. *Per Capita Costs in City Schools, 1935-36*. United States Department of the Interior, Office of Education Pamphlet No. 70. Washington: United States Government Printing Office, 1937.

*Curriculum Bulletin No. 1.* Prepared by the State Curriculum Steering Committee for Use by Teacher Study Groups. Issued by John A. Wieland, Superintendent of Public Instruction, State of Illinois. Circular No. 293, 1937.

GARINGER, ELMER HENRY. *The Administration of Discipline in the High School.* New York: Bureau of Publications, Teachers College, Columbia University. Contributions to Education, No. 686, 1936.

GRIFFEY, CARL H. *The History of Local School Control in the State of New York.* New York: Bureau of Publications, Teachers College, Columbia University. Contributions to Education, No. 683, 1936.

HARDY, MARTHA CRUMPTON, and HOEFER, CAROLYN H. *Healthy Growth: A Study of the Influence of Health Education on Growth and Development of School Children.* Chicago: The University of Chicago Press, 1936.

HARTILL, RUFUS M. *Homogeneous Grouping as a Policy in the Elementary Schools in New York City.* New York: Bureau of Publications, Teachers College, Columbia University. Contributions to Education, No. 690, 1936.

HUNT, THELMA. *Measurement in Psychology.* New York: Prentice-Hall, Inc., 1936.

JESSEN, CARL A., and Others. *Subject Registration in Private High Schools and Academies, 1932-33.* United States Department of the Interior, Office of Education Pamphlet No. 73. Washington: United States Government Printing Office, 1937.

LOMBARD, ELLEN C. *Essentials in Home and School Cooperation.* United States Department of the Interior, Office of Education Leaflet No. 35. Washington: United States Government Printing Office, 1937.

LUNDEN, WALTER A. *Juvenile Delinquency: Manual and Source Book.* Pittsburgh: University of Pittsburgh, 1936.

ODENWELLER, ARTHUR LEONARD. *Predicting the Quality of Teaching.* New York: Bureau of Publications, Teachers College, Columbia University. Contributions to Education, No. 676, 1936.

"———, *of the People.*" The Superintendent's Annual Report for the 93d Year of the Detroit Public Schools. Detroit: Board of Education, 1937.

*Public Education in Alaska.* United States Department of the Interior, Office of Education Bulletin, 1936, No. 12. Washington: United States Government Printing Office.

*Research Memorandum on Education in the Depression.* Educational Policies Commission of the National Education Association of the United States and the American Association of School Administrators. Social Science Research Council Bulletin 28. New York: Social Science Research Council, 1937.

SMITH, HENRY LESTER; McELHINNEY, ROBERT STEWART; and STEELE, GEORGE RENWICK. *Character Development Through Religious and Moral Education in the Public Schools of the United States.* Bulletin of the School of Education, Indiana University, Vol. XIII, No. 3. Bloomington, Indiana: Bureau of Cooperative Research, Indiana University School of Education, 1935.

STUDEBAKER, J. W. *Crucial Issues in Education.* United States Department of the Interior, Office of Education Pamphlet No. 74. Washington: United States Government Printing Office, 1937.

*Teacher Personnel.* Review of Educational Research, Vol. VII, No. 3. Washington: American Educational Research Association of the National Education Association, 1937.

*Teacher Retirement Systems and Social Security.* Research Bulletin of the National Education Association, Vol. XV, No. 3. Washington: Research Division of the National Education Association, 1937.

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